



UNITED STATES PATENT AND TRADEMARK OFFICE

mn
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,888	04/08/2004	Philip Shi-Lung Yu	YOR920040112US1	8874
55459 7590 08/09/2007 GEORGE A. WILLINGHAN, III AUGUST LAW GROUP, LLC P.O. BOX 19080 BALTIMORE, MD 21284-9080			EXAMINER BETIT, JACOB F	
			ART UNIT 2164	PAPER NUMBER
			MAIL DATE 08/09/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/820,888

Applicant(s)

YU, PHILIP SHI-LUNG

Examiner

Jacob F. Bétit

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-12 and 14-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 7-12 14-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 29 May 2007 has been entered.

Remarks

2. In response to communications filed on 26 October 2006, claims 1, 5, 9, 12, 15 have been amended. Claims 1-5, 7-12, 14-17 are presently pending in the application.
3. It is noted that the amendments to claim 7 reflected in the response were previously made in the response dated 26 October 2006.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-5, 7-12, 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrett et al. (U.S. patent application publication No. 2003/0135490 A1) in view of Acharya et al. (U.S. patent application publication No. 2005/0071741 A1).

Art Unit: 2164

As to claim 1, Barrett et al. teaches a method for searching data comprising:
generating a temporally ranked set of search results in response to a query (see abstract),
the step of generating a temporally the temporally ranked set of search results comprising:
generating an initial set of search results (see paragraph 0010); and
identifying a first portion of the initial search results having creation dates after a pre-determined threshold date; identifying a second portion of the initial search results having creation dates before the pre-determined threshold date (see paragraph 0049); and
ranking the second portion of the initial set of search results to generate the temporally ranked set of search results (see paragraph 0013).

Barrett et al. does not distinctly disclose ranking based on in-links associated with the search result in the second portion of the search results and a creation date for each in-link associated with each search result to generate the temporally ranked set of search results.

Acharya et al. teaches this, see paragraph 0076-0078. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Barrett et al. to include the teachings of Acharya et al. because these teachings would allow spam sites to be detected during the ranking process.

As to claim 2, Barrett et al. teaches wherein the step of generating the initial set of search results comprises using reputation based factors or content based factors (see paragraph 0010).

As to claim 3, Barrett et al. teaches wherein the step of ranking the second portion of the initial search results comprises assigning a present importance weight and a future importance

Art Unit: 2164

weight to each result in the second portion of the initial set of search results (see paragraph 0013).

As to claim 4, Barrett et al. teaches further comprising:

determining the present importance of each result using creation date, publication date, in-link dates, search frequency or combinations thereof (see paragraph 0013); and

determining the future importance using an aging factor based on the elapsed time from publication for each search result and a rate at which each search result decreases in importance (see paragraphs 0035-0038).

As to claim 5, Barrett et al. teaches wherein the method further comprises obtaining time and date information about each search result from meta content associated with the search result (see paragraphs 0013 and 0015).

As to claim 7, Barrett et al. teaches further comprising ranking the first portion of the initial search results based on a reputation associated with authors of each result, a reputation associated with a repository where each result is located or a combination of author and repository reputation (see paragraphs 0036-0037).

As to claim 8, Barrett et al. teaches further comprising ranking the initial set of search results based upon the reputation or content of each result (see paragraphs 0036-0037).

As to claim 9, Barrett et al. teaches a computer readable medium containing a computer executable code that when read by a computer causes the computer to perform a method for searching data comprising generating a temporally ranked set of search results of network-based data in response to a query (see paragraph 0001), said step of generating a temporally ranked set of search results comprising:

generating an initial set of search results (see paragraph 0010);

identifying a first portion of the initial search results having creation dates after a pre-determined threshold date; identifying a second portion of the initial search results having creation dates before the pre-determined threshold date (see paragraph 0049); and

ranking the second portion of the initial set of search results to generate the temporally ranked set of search results (see paragraph 0013).

Barrett et al. does not distinctly disclose ranking based on in-links associated with the search result in the second portion of the search results and a creation date for each in-link associated with each search result to generate the temporally ranked set of search results.

Acharya et al. teaches this, see paragraph 0076-0078. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Barrett et al. to include the teachings of Acharya et al. because these teachings would allow spam sites to be detected during the ranking process.

As to claim 10, see the rejection of claim 3 above.

As to claim 11, see the rejection of claim 4 above.

As to claim 12, see the rejection of claim 5 above.

Art Unit: 2164

As to claim 14, see the rejection of claim 7 above.

As to claim 15, Barrett et al. teaches 15. a method comprising:

offering a service to customers that generates a temporally ranked set of search results from network-based data in response to a query, the temporally ranked set of search results utilizing an age associated with each result in the set of search results to rank the search results (see paragraphs 0013, 0044, and 0049); and

modifying one or more parameters of the service in response to customer input (see paragraph 0012).

Barrett et al. does not distinctly disclose the temporally ranked set of search results utilizing an age associated with in-links to each result in the set of search results to rank the search results.

Acharya et al. teaches this, see paragraph 0076-0078. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Barrett et al. to include the teachings of Acharya et al. because these teachings would allow spam sites to be detected during the ranking process.

As to claim 16, Barrett et al. teaches wherein the parameters comprise rate of phase-out of old data, decay rate, temporal criteria, reputation ranking techniques or combinations thereof (see paragraph 0013).

Art Unit: 2164

As to claim 17, Barrett et al. teaches wherein further comprising modifying the parameters based upon the topic or repository being searched (see paragraph 0013, "As a matter of granularity, the particular decay rate and structure may be defined by the designer based on query type or other personalized factors... if a query relates to history, one may not wish to ever ignore a use").

Response to Arguments

6. Applicant's arguments have been fully considered but they are moot in view of the new grounds of rejection presented above.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob F. B  tit whose telephone number is (571) 272-4075. The examiner can normally be reached on Monday through Friday 9:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

jfb
6 Aug 2007


CHARLES RONES
SUPERVISORY PATENT EXAMINER